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**APPROVED BY COUNCIL
MARCH 20, 2019**

FINAL ACTION AGENDA/MINUTES

VILLAGE COUNCIL MEETING

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
January 23, 2019 9:30 a.m.**

1. CALL TO ORDER: 9:30 a.m.

PLEDGE OF ALLEGIANCE: Led by Mayor Boesch.

INVOCATION: Pastor Frank Brand from First Baptist Church of Estero.

ROLL CALL: Present: Mayor Jim Boesch - District 5, Vice Mayor Bill Ribble - District 1, Councilmember Howard Levitan - District 2, Councilmember Jon McLain - District 3, Councilmember Katy Errington - District 4, Councilmember Nick Batos - District 6, and Councilmember Jim Wilson - District 7.

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Assistant to Village Manager Kyle Coleman, Public Works Director David Willems, Finance Director Lisa Roberson, Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS:

Motion: Move to approve the agenda. Village Attorney Saunders under attorney's report requested to add an executive session for January 30 per Land Use Attorney Stroud.

Motion by: Councilmember Errington

Seconded by: Councilmember McLain

Action: Approved the agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

3. PROCLAMATIONS:

- (a) The Trust for Public Land and Kate Brown, Senior Project Manager

Village Manager Sarkozy provided an explanation, and appreciation for Kate Brown and her assistance in the recent land purchase.

- (b) W. Scott Anderson, Design Review Board Member

Presented by Mayor Boesch.

4. PUBLIC COMMENT ON NON-AGENDA ITEMS: None.

5. CONSENT AGENDA:

- (a) Financial Report for Month Ended November 30, 2018

- (b) Storm Drainage/Catch Basin System Cleaning Services RFB 2018-07

Recommended Action: (1) Approve award of Request for Bids No. RFB 2018-07, Storm Drainage/Catch Basin System Cleaning Services for the Village of Estero to EnviroWaste Services Group, Inc. to provide services as provided in the contract for a one-year period, at the rates listed in the contract (including all Options). (2) Authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council. (3) Grant the Village Manager the authority to renegotiate and execute the renewal of this contract for one additional one-year term under the same terms and conditions, if doing so is in the best interest of the Village of Estero.

Financial Impact: Services through this contract will be provided on an as needed basis. The Village's 2018-2019 Stormwater Maintenance budget includes \$20,000 for Miscellaneous Stormwater Maintenance. Any work performed under this contract will be paid for through this Miscellaneous Stormwater Maintenance Budget.

Public Comment: None

Questions or Comments: None

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Wilson
Seconded by: Councilmember McLain

Action: Approved the Consent Agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

6. **CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA: None**

7. **ACTION ITEMS:** None.

8. **SECOND READINGS / PUBLIC HEARINGS OF ORDINANCES:**

- (a) Ordinance No. 2019-02 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Licenses and Business Regulations Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-03 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Motor Vehicles and Traffic Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-04 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Offenses and Miscellaneous Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-05 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Parks and Recreation Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-06 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Public Buildings and Lands Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-07 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Public Improvements and Projects Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-08 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Roads and Bridges Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-09 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Tourist Development Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-10 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Water and Sewers Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-11 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Wells Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Ordinance No. 2019-12 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Non Ordinance Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-02

Motion by: Councilmember Wilson

Seconded by: Councilmember Batos

Vote:

Aye: Unanimous

Nay:

Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-03

Motion by: Councilmember Errington

Seconded by: Councilmember McLain

Vote:

Aye: Unanimous

Nay:

Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-04

Motion by: Councilmember Levitan

Seconded by: Vice Mayor Ribble

Vote:

Aye: Unanimous

Nay:

Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-05

Motion by: Councilmember Wilson

Seconded by: Councilmember Batos

Vote:

Aye: Unanimous

Nay:

Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-06

Motion by: Councilmember Errington

Seconded by: Councilmember McLain

Vote:

Aye: Unanimous

Nay:

Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-07

Motion by: Councilmember Levitan

Seconded by: Vice Mayor Ribble

Vote:

Aye: Unanimous

Nay:

Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-08

Motion by: Councilmember Wilson

Seconded by: Councilmember Batos

Vote:

Aye: Unanimous

Nay:
Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-09

Motion by: Councilmember Errington
Seconded by: Councilmember McLain

Vote:
Aye: Unanimous
Nay:
Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-10

Motion by: Councilmember Levitan
Seconded by: Vice Mayor Ribble

Vote:
Aye: Unanimous
Nay:
Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-11

Motion by: Councilmember Wilson
Seconded by: Councilmember Batos

Vote:
Aye: Unanimous
Nay:
Abstentions:

Public Comment: None

Questions or Comments: None

Motion: Move to approve Ordinance No. 2019-12

Motion by: Councilmember Errington

Seconded by: Councilmember McLain

Vote:

Aye: Unanimous

Nay:

Abstentions

9. PUBLIC COMMENT ON NON-AGENDA ITEMS: None.

10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Vice Mayor Ribble stated the Village needs to look into septic tank conversions.

Councilmember Levitan extended thanks to staff for working diligently on the Estero on the River Property.

Councilmember McLain stated he appeared before the County Commission last week regarding 20/20 funding.

Councilmember Errington thanked the sheriff's office for patrolling the river; suggested reapplying for a grant.

Councilmember Batos stated if the Council has a meeting on January 30th, would like to see a workshops on Eslick recommendations and discussion on the Design Review Board.

Councilmember Wilson asked about lobbying for improved landscape on Ben Hill Griffin Parkway.

Mayor Boesch announced that Bill Ribble was named vice president of the Southwest Chapter of Florida's League of Cities and also read the names of others appointed to the board.

11. VILLAGE ATTORNEY'S REPORT:

There is a request for an executive session on January 30 and council will assist staff with the agenda wording.

Subject matter:

Argo Corkscrew Crossing, LP, Argo US, LLC, Argo Land US, LLC and Templeton Family Trust v. Village of Estero, DOAH Case No. 18-3613GM; and

Village of Estero v. Argo Corkscrew Crossing, LP, Argo US, LLC, Argo Land US, LLC and Templeton Family Trust v. Village of Estero, SFWMD No. 2019-015-DAO-ERP

Persons Attending the Attorney/Client Session:

Mayor James Boesch
Vice Mayor Bill Ribble
Councilmember Howard Levitan
Councilmember Jon McLain
Councilmember Katy Errington
Councilmember Nick Batos
Councilmember Jim Wilson
Attorney Nancy Stroud
Attorney Gary Oldehoff
Attorney Derek Rooney
Attorney Jeffrey Hinds
Attorney Jay Bartlett
Village Manager Steve Sarkozy
Terri Lewis, Court Reporter

Executive session to begin at 11:00 a.m.

12. VILLAGE MANAGER'S REPORT: None.

Adjourn Regular Session and Convene Workshop

13. WORKSHOP ITEMS:

(a) Traffic Signal, Street Light and Traffic Sign Standards

Public Works Director Willems presented a PowerPoint Presentation that explained the existing signals, street lights, and signs, examples of standards in the county, cost consideration and options the Village has with signals and street lights.

Questions or Comments: Councilmembers had questions regarding the process of painting street poles, maintenance of poles, and asked if costs would go down if the Village installed LED lights. Councilmember Levitan stated he is in favor of having a standard but not willing to spend three million dollars and would like recommendations from the staff.

(b) US 41 Landscape Update

Public Works Director Willems provided an introduction.

Consultants from Kimley Horn. presented a PowerPoint presentation regarding planting palette, typical planting design, current project status, and project schedule.

Questions or Comments: Councilmembers had questions regarding limits on trees being planted and questioned why 3D images were not available. Public Works Director Willems explained about the issues with the speed limit and if FDOT lowers the speed limit to forty-five, more trees can be installed.

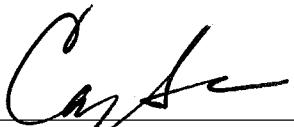
Public Comment: None

A motion to adjourn was made and duly passed.

14. ADJOURNMENT: 11:25 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: 
Kathy Hall, MMC, Village Clerk
on behalf of Kathy Hall

By: 
Bill Ribble, Mayor